IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE EIGHTEENTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 156 of 2005

Between:

Gotla Venkata Narsaiah, S/o. Gangaram, aged about 61 years,
Occ: Agriculture, R/o. H.No. 3-3-107, Hanumanwada Locality,

Patel Road, Korutla, Korutla Mandal, Karimnagar District.

..... PETITIONER

AND

1 The Municipal Council, Korutla, Karimnagar District,
rep by its Commissioner
2 The District Collector, Karimnagar, Karimnagar District.
3 Gangula Ramgopal, S/o. Narsaiah,
R/o. Bhimunidubba Locality, Korutla, Korutla Mandal,

Karimnagar District.
4 Dr. Bandi Vidyasagar, S/o. Rajaram,
R/o. P.W.D. Road, Korutla Mandal, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction, more particularly a Writ in the nature of Mandamus, directing the Respondents 1 and 2 not to form and lay a Road in the lands in Sy.No. 141 and 142 at Bheemunidubba Locality in Korutla Revenue Village adjacent to Road already in existence in Government Bancharal land in Sy.No. 244 of Korutla Revenue Village without resorting to the provisions of land Acquisition Act by paying compensation by removing the encroachments made on existing road in Sy.No. 244 of the place shown in Red Colour in the Map hereto an illegal, arbitrary, and violative of Article 300-A and 31 of constitution of India and pass such other order or orders

Counsel for the Petitioner: MR.P.V.NARAYANA RAO

Counsel for the Respondent No.1: P.RADHAKRISHNA

Counsel for the Respondent No.2: GP FOR REVENUE

The Court made the following:

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ORDER:

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The petitioner approached this Court through this writ petition seeking a direction to the respondents 1 and 2 not to form and lay a road in the lands situated in Sy.Nos.141 and 142 of Korutla village.

According to the petitioner, he is the absolute owner and possessor of land admeasuring Ac.1.10 guntas in Sy.No.141 and Ac.0.09 guntas in Sy.No.142 of Korutla of Karimnagar District.

The apprehension of the petitioner is that the

1st respondent has been trying to lay a road in his land situated in Sy.Nos.141 and 142 of Korutla without acquiring the land and without initiating any proceedings under the provisions of Land Acquisition Act.

On instructions, the learned standing Counsel, appearing for the 1st respondent, submitted that the Municipal authorities have not been taking any steps for laying road in the land of the petitioner and that if at all there is any requirement of laying road in the land of the petitioner, they will follow due process of law.

In view of the submission of the learned standing counsel for the 1st respondent, no further orders need be passed in this writ petition. Accordingly, the Writ Petition is closed.

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ASSISTANT REGISTRAR

Note:

Issue CC in one week

B/o.

Dsr/nsr

To:

1. The Commissioner,

The Municipal Council,

Korutla, Karimnagar District

2. The District Collector, Karimnagar,

Karimnagar District

3. Two CCs to the Government Pleader

for Revenue, High Court Buildings,

Hyderabad (OUT)

4. Two CD copies.